

SEVENTY-FIRST DAY

(Tuesday, May 31, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Moore
Ashley	Owen
Bracewell	Parkhouse
Colson	Phillips
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis
Moffett	

Absent—Excused

Corbin

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, help us to learn in silence from him who 'is brought as a lamb to the slaughter, and as a sheep before her shearers is dumb, so he openeth not his mouth'; and make us remember that it is not by power, nor by might, but Thy spirit we are to overcome evil with good. In Christ's name we pray. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leave of Absence

Senator Corbin was granted leave of absence for today on account of important business on motion of Senator Moore.

Senate Bill 449 on First Reading

Senator Phillips moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent

Weinert

Absent—Excused

Corbin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Phillips:

S. B. No. 449, A bill to be entitled "An Act authorizing the Texas Prison Board to sell the Blue Ridge Prison Farm and to use the proceeds for the purchase of other lands and the construction of permanent improvements thereon; prescribing procedures and conditions for the sale of this property and the acquisition of new lands; requiring approval of certain acts by a board composed of the Governor, the Commissioner of the General Land Office, and the Chairman of the Texas Prison Board; making an appropriation; and declaring an emergency."

To the Committee on State Penitentiaries.

Senate Bill 450 on First Reading

Senator Fly moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Fly
Ashley	Fuller
Bracewell	Hardeman
Colson	Hazlewood

Kazen	Phillips
Kelley	Ratliff
Lane	Roberts
Latimer	Rogers
Lock	of Childress
Martin	Rogers of Travis
McDonald	Secrest
Moffett	Shireman
Moore	Strauss
Owen	Wagonseller
Parkhouse	Willis

Absent

Weinert

Absent—Excused

Corbin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Fly:

S. B. No. 450, A bill to be entitled "An Act relating to sale of real property under execution; amending Article 3804, Revised Civil Statutes, 1925, so as to permit sale at some place within the courthouse other than the courthouse door and to require the notice of sale to state the time and place of sale; and declaring an emergency."

To the Committee on State Affairs.

Senate Concurrent Resolution 79

Senator Hardeman offered the following resolution:

S. C. R. No. 79, Recalling S. B. No. 254 from Governor's office to make certain correction.

Whereas, Senate Bill 254 has passed both Houses and is now in the Governor's office; and

Whereas, It is necessary to make a minor correction in said bill; therefore, be it

Resolved by the Senate, the House concurring, That the Governor be and he is hereby requested to return said bill for correction, that the presiding officers of the two Houses be authorized to remove their signatures from the enrolled bill, and that the Enrolling Clerk of the Senate be directed to correct said bill as follows: in the body and in the caption substitute the words, "an undergraduate degree," for the words, "a degree."

The resolution was read.

On motion of Senator Hardeman, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Concurrent Resolution 80 on First Reading

Senator Roberts moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a resolution, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent

Weinert

Absent—Excused

Corbin

The following resolution was then introduced, read first time and referred to the committee indicated:

S. C. R. No. 80, Granting Willis E. Tyler or his estate permission to sue the State of Texas.

Whereas, The State of Texas through the Board for Texas State Hospitals and Special Schools has filed a suit in the District Court of Fannin County, Texas, for reimbursement for the support and maintenance of Willis E. Tyler, a patient in the Terrell State Hospital; and

Whereas, It is alleged that Willis E. Tyler has rendered valuable services to the State of Texas in various types of labor as a patient of the State and that he is entitled to offset the value of these services against any claim for his support; now, therefore, be it

Resolved by the Senate of the State

of Texas, the House of Representatives concurring: That the aforesaid Willis E. Tyler and/or the guardian or other legal representative of his estate are hereby granted permission to sue the State of Texas for the value of services rendered to the State and its agencies by Willis E. Tyler, by way of counterclaim or setoff in any suit filed by the State to enforce a claim for reimbursement for his support and maintenance. Service of citation or any other process, where necessary, shall be had upon the Executive Director of the Board for Texas State Hospitals and Special Schools and the Attorney General of Texas. It is understood that the sole purpose of this resolution is to grant permission to maintain suit and no admission of liability on the part of the State or of any fact herein alleged is made by this resolution.

To the Committee on Civil Jurisprudence.

Senate Bill 451 on First Reading

Senator Willis moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent

Weinert

Absent—Excused

Corbin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Willis:

S. B. No. 451, A bill to be entitled

"An Act making an appropriation to pay the claim of the Estate of Dora M. Logan, Deceased, for overpayment of inheritance tax; and declaring an emergency."

To the Committee on Finance.

Senate Bill 452 on First Reading

Senator Strauss moved that Senate Rule 114 and Section 5 of Article III of the State Constitution be suspended to permit his introducing at this time a bill, the provisions of which he explained.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Phillips
Fuller	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Shireman
Lock	Strauss
Martin	Wagonseller
McDonald	Willis

Absent

Weinert

Absent—Excused

Corbin

The following bill was then introduced, read first time and referred to the committee indicated:

By Senator Strauss:

S. B. No. 452, A bill to be entitled "An Act to appropriate certain funds to the Texas Real Estate Commission for the purpose of carrying out the provisions of Senate Bill No. 209, 54th Legislature, transferring the balance to the General Revenue Fund; and declaring an emergency."

To the Committee on Finance.

Senate Resolution 405

Senator Moore offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of the Ben Hur High School of Limestone County accom-

panied by Mrs. T. E. Read and G. A. Johnston; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this Resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Moore by unanimous consent presented the students, Mrs. Read and Mr. Johnston to the Members of the Senate.

Senate Resolution 406

Senator Phillips offered the following resolution:

Whereas, Oveta Culp Hobby of Houston is now serving her third year as Secretary of Health, Education and Welfare in the cabinet of the President of the United States; and

Whereas, Mrs. Hobby is the only Texas woman ever to serve in such an exalted position in our national government; and

Whereas, This distinguished lady has won the unstinted praise of the President of the United States, the warm regard of her fellow cabinet members, and respect and admiration of the entire nation, as well as her own beloved state; and

Whereas, Mrs. Hobby, before assuming the high position of trust and leadership she now holds had achieved honor and renown in the fields of government, business and journalism; and

Whereas, She served her country with distinction as the first commander of the Women's Army Corps in World War II, heading an organization of 127,000 servicewomen and making a notable contribution to our victory; and

Whereas, Mrs. Hobby was born in Killeen, Texas, the daughter of the late I. W. Culp, a member of the Texas Legislature, and Emma Hoover Culp; and she is the wife of the dis-

tinguished William Pettus Hobby, former governor of Texas, and the mother of a stalwart son and a lovely daughter; and

Whereas, Our country is fortunate in obtaining the unselfish services of this brilliant and patriotic Texas woman; now, therefore, be it

Resolved, By the Senate of Texas, that we commend and congratulate Oveta Culp Hobby for her loyal devotion to duty, her untiring efforts to improve the health and learning, and promote the welfare of her fellow citizens so that America may become a still greater nation, for her keen intellect and the wisdom she has evidenced in the highest councils of the land; and, be it further

Resolved, That a copy of this resolution be sent to Oveta Culp Hobby, to President Dwight D. Eisenhower, to the Hon. William P. Hobby, and to other members of her family.

PHILLIPS
BRACEWELL

The resolution was read and was adopted.

Senate Resolution 407

Senator Ratliff offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate students of the 7th and 8th Grades of the Gay Hill School, Big Spring, Texas, Howard County, accompanied by their teacher and principal, Mr. and Mrs. Doyle Fern; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and learn firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ratliff by unanimous consent presented the students and Mr. and Mrs. Fern to the Members of the Senate.

**Committee on Senate Concurrent
Resolution 7**

The President announced the following as a committee on the part of the Senate on S. C. R. No. 7 to select a Poet Laureate for the State:

Senators Ashley and Fly.

**Conference Committee on
Senate Bill 4**

The President announced the appointment of the following as a Conference Committee on the part of the Senate on S. B. No. 4:

Senators Hardeman, Kazen, Ashley, Lane and Shireman.

**Conference Committee Report on
Senate Bill 226**

Senator Kelley submitted the following Conference Committee report on S. B. No. 226:

Austin, Texas,
May 30, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. B. No. 226, have met and had same under consideration, and beg to report it back with the recommendation that it do pass and in the form attached.

KELLEY
MOORE
STRAUSS
MOFFETT
ROGERS

of Childress

On the part of the Senate.

E. de la GARZA
SMITH of Hays
HEITMAN
YEZAK
MULLEN

On the part of the House.

S. B. No. 226:

A BILL

TO BE ENTITLED

"An Act amending Subsection 1(b) of Section 8, Chapter 42, Acts of the Forty-first Legislature, Second Called Session, as amended, relating to the speed of vehicles on highways; defining certain additional terms; changing the prima facie lawful speed

limits for certain classes of vehicles operated under certain conditions; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Subsection 1(b) of Section 8, Chapter 42, Acts of the Forty-first Legislature, Second Called Session, as re-enacted and amended in Chapter 346, Acts of the Fifty-second Legislature (which is codified under Section 8 of Article 827a in Vernon's Texas Penal Code) is hereby amended to read as follows:

"(b) Where no special hazard exists that requires lower speed for compliance with Subsection 1(a) of this Section, the speed of any vehicle not in excess of the limits specified in this Subsection or established as hereinafter authorized shall be lawful, but any speed in excess of the limits specified in this Subsection or established as hereinafter authorized shall be prima facie evidence that the speed is not reasonable or prudent and that it is unlawful:

"(1) Thirty (30) miles per hour in any business or residence district for all vehicles:

"(2) Sixty (60) miles per hour during the daytime and fifty-five (55) miles per hour during the nighttime in locations other than business or residence districts for all vehicles except commercial vehicles, truck-tractors, trailers, or semi-trailers as defined in this Act and all motor vehicles engaged in this State in the business of transporting passengers for compensation or hire.

"(3) Sixty (60) miles per hour during the daytime and fifty-five (55) miles per hour during the nighttime in locations other than business or residence districts for light commercial vehicles.

"(4) Forty-five (45) miles per hour at all hours in locations other than business or residence districts for commercial vehicles except commercial vehicles which are in authorized use as 'Highway Post Office' vehicles, and for truck-tractors, trailers, or semi-trailers, as defined in this Act.

"(5) Fifty-five (55) miles per hour at all hours in locations other than business or residence districts for any motor vehicle engaged in this State in the business of transporting passengers for compensation or hire or for any commercial vehicle which is in authorized use as a 'Highway Post

Office' vehicle for furnishing highway post office service in transportation of United States mail.

"As used in this Section, 'light commercial vehicle' means any motor vehicle other than a motorcycle designed for the transportation of property not to exceed fifteen hundred (1500) pounds, and 'commercial vehicle' means any commercial motor vehicle as defined in Section 1 of this Act other than a light commercial vehicle. The term 'light commercial vehicle' is intended to include those vehicles commonly known as pickup trucks, panel delivery trucks, carry-all trucks, and passenger vehicles used for delivery purposes.

"'Daytime' as used in this Act shall mean from a half ($\frac{1}{2}$) hour before sunrise to a half ($\frac{1}{2}$) hour after sunset. 'Nighttime' means at any other hour.

"'Business District' means the territory contiguous to and including a roadway when within any six hundred (600) feet along such roadway there are buildings in use for business or industrial purposes which occupy three hundred (300) feet of frontage on one side or three hundred (300) feet collectively on both sides of the roadway.

"'Residence District' means the territory contiguous to and including a highway not comprising a business district when the property on such highway for a distance of three hundred (300) feet or more is in the main improved with residences or residences and buildings in use for business.

"The prima facie speed limits set forth in this Subsection may be altered as authorized in Subsections 2 and 3."

Sec. 2. The fact that the present law places an unreasonable limitation on the speed of pickup trucks and other light delivery vehicles creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted by the following vote:

Yeas—25

Aikin	Owen
Colson	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kelley	Rogers
Lane	of Childress
Latimer	Rogers of Travis
Lock	Secrest
Martin	Shireman
McDonald	Strauss
Moffett	Wagonseller
Moore	Willis

Nays—2

Bracewell	Kazen
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Absent

Ashley	Weinert
Fuller	

Absent—Excused

Corbin

Bills and Resolutions Signed

The President signed in the presence of the Senate, after the captions had been read the following enrolled bills and resolutions:

S. B. No. 247, A bill to be entitled "An Act to amend Article 7009, Revised Civil Statutes of Texas, 1925, increasing the number of members of the Livestock Sanitary Commission of the State of Texas from three to nine; providing for the qualification of each of the nine members; providing for the term of office from two to six years so that one term of office will expire in two years; providing for the appointment of a Chairman of said Commission; and providing that the present members shall continue to hold office for the terms for which they have been appointed; and declaring an emergency."

S. B. No. 277, A bill to be entitled "An Act authorizing the Daughters of the Confederacy and the Daughters of the Republic to charge admission fees and to maintain and operate concession stands in all State property under the custody and control of such organizations; providing that money obtained from the admission fees and the operation of concessions shall be used for the maintenance and repair of the State property under the custody and control of such organizations; providing for a repeal-

ing clause; and declaring an emergency."

S. C. R. No. 72, Granting Northern Natural Gas Company permission to sue the State of Texas.

S. B. No. 346, A bill to be entitled "An Act to amend Section 8 of Senate Bill 455, Acts of the Forty-seventh Legislature, Regular Session, so as to more clearly define the intent of the present law as it pertains to the growing and taking of minnows from the public fresh waters of Hamilton County, Texas; specifically exempting the owners of private ponds and tanks in Hamilton County from the provisions of said Act; repealing all laws and parts of laws in conflict; and declaring an emergency."

S. C. R. No. 43, Granting Frank M. Hill permission to sue the State of Texas.

S. C. R. No. 77, Recalling S. B. No. 10 from the Governor's office.

S. C. R. No. 76, Requesting the return of S. B. No. 145 to the Senate for correction.

Message from the Governor

The following message received from the Governor was read and filed with the Secretary of the Senate:

Austin, Texas,
May 30, 1955.

To the Members of the Fifty-fourth Legislature.

Complying with the request contained in Senate Concurrent Resolution No. 76, I am returning herewith Senate Bill No. 145.

Respectfully submitted,
ALLAN SHIVERS,
Governor of Texas.

Reports of Standing Committees

Senator Kazen, by unanimous consent, submitted the following report:

Austin, Texas,
May 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Penitentiaries, to whom was referred S. B. No. 449, have had the same under consideration, and we are instructed to report it back to the Sen-

ate with the recommendation that it do pass and be printed.

KAZEN, Chairman.

Senator Lane, by unanimous consent, submitted the following report:

Austin, Texas,
May 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. C. R. No. 80, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

LANE, Chairman.

Senate Bill 52 with House Amendments

Senator Rogers of Travis called S. B. No. 52 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Rogers of Travis moved that the Senate concur in the House amendments.

The motion prevailed.

Conference Committee Report on House Bill 77

Senator Latimer submitted the following Conference Committee report on H. B. No. 77:

Austin, Texas,
May 30, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on H. B. No. 77, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

LATIMER
HARDEMAN
LANE
KAZEN
SHIREMAN

On the part of the Senate.

BANKS
WALLING
MURRAY
STRICKLAND

On the part of the House.

H. B. No. 77:

A BILL
TO BE ENTITLED

"An Act to amend Article 6674-n, Revised Civil Statutes of Texas, of 1925, as amended by Chapter 207, Senate Bill No. 531, passed at the Regular Session, Forty-third Legislature, General Laws, Page 622; as amended by Chapter 199, House Bill No. 439, passed at the Regular Session, Forty-fourth Legislature, General Laws, Page 485; conferring upon the State Highway Commission the right of eminent domain acting by and through the Attorney General of the State of Texas, to condemn land for right of way in connection with the construction of a designated State Highway; providing for filing of suits by the State Highway Commission, acting by and through the Attorney General of the State of Texas, in Travis County for the purpose of securing such right of way; providing for following same procedure in Travis County as set out in Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, of 1925; authorizing the Commissioners Court of any county to purchase or condemn on behalf of the State of Texas, any land for road, right-of-way purposes, timber, earth, stone, gravel or other material, necessary or convenient to any road to be constructed, reconstructed, maintained, widened, straightened, or lengthened, or land not exceeding one hundred (100) feet in width for stream bed diversion in connection with the locating, relocating or construction of a designated State Highway, including land or any of the above materials that lie either partially or wholly within a municipality, provided that the exercise of the power of eminent domain is with the prior consent of the governing body of such municipality; limiting the right of the State Highway Commission to condemn such right of way to cases where the Commissioners Court has failed or refused to acquire such right of way by purchase or condemnation; repealing all laws or parts of laws in conflict herewith; providing that should any part of this Act be held to be unconstitutional or void same shall not affect the remainder hereof; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. Article 6674-n, Revised Civil Statutes of Texas, of 1925, as amended by Chapter 207, Senate Bill No. 531, passed at the Regular Session of the Forty-third Legislature, General Laws, Page 622, as amended by Chapter 199, House Bill No. 439, passed at the Regular Session, Forty-fourth Legislature, General Laws, Page 485, be and the same is hereby amended so as to hereafter read as follows:

"Article 6674-n. Whenever, in the judgment of the State Highway Commission, the use or acquisition of any land for road, right of way purposes, timber, earth, stone, gravel or other material is necessary or convenient to any road to be constructed, reconstructed, maintained, widened, straightened or lengthened, or land not exceeding one hundred (100) feet in width for stream bed diversion in connection with the locating, relocating or construction of a designated State Highway by the State Highway Commission, the same may be acquired by purchase or condemnation by the County Commissioners Court. This authority includes the power to exercise the right of eminent domain by any County Commissioners Court within the boundaries of a municipality with the prior consent of the governing body of such municipality. Provided that the county in which the State highway is located may pay for same out of the County Road and Bridge Fund, or any available county funds.

"Any Commissioners Court is hereby authorized to secure by purchase or by condemnation on behalf of the State of Texas, any new or wider right of way or land not exceeding one hundred (100) feet in width for stream bed diversion in connection with the locating, relocating or construction of a designated State Highway, or land or lands for material or borrow pits, to be used in the construction, reconstruction or maintenance of State Highways and to pay for the same out of the County Road and Bridge Fund, or out of any special road funds or any available county funds. This authority includes the power to exercise the right of eminent domain by any County Commissioners Court within the boundaries of a municipality with the prior consent of the governing body of such municipality. The State Highway Commission shall be charged

with the duty of furnishing to the County Commissioners Court the plats or field notes of such right of way or land and the description of such materials as may be required, after which the Commissioners Court may, and is hereby authorized to purchase or condemn the same, with title to the State of Texas, in accordance with such field notes. Provided that in the event of condemnation by the County the procedure shall be the same as that set out in Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, of 1925. Provided that if the County Commissioners Court of any County in which such right of way is, in the judgment of the State Highway Commission, necessary for the construction of a part of a designated State Highway shall fail or refuse to secure by purchase or by condemnation for or on behalf of the State of Texas, such right of way or part thereof, immediately and as speedily as possible, under said Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, of 1925, after being served with a copy of any order of the State Highway Commission identifying by field notes, the part of the Highway necessary for the construction of such designated State Highway and requesting such County Commissioners Court to secure same, then and in such event and within ten (10) days after the service of such notice, said State Highway Commission shall direct the Attorney General of Texas, to institute condemnation proceedings in the name of the State of Texas, for the purpose of securing such right of way. Such condemnation proceedings shall be instituted by the County or District Attorney of the County in which the land is situated and the venue of such proceedings shall be in the county in which the land is situated and jurisdiction and authority to appoint three (3) disinterested freeholders of such County as Commissioners is hereby conferred upon the County Judge of such County in which the land is situated and otherwise such condemnation shall be according to the provisions of said Title 52, Articles 3264 to 3271, inclusive, Revised Civil Statutes of Texas, 1925, as amended.

Sec. 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are hereby repealed.

Sec. 3. In the event any section, subdivision, paragraph, or sentence of

this Act be declared unconstitutional or void, the validity of the remainder of this Act shall not be affected thereby; and it is hereby declared to be the policy and intent of the Legislature to enact the valid portions of this Act, notwithstanding the invalid portions.

Sec. 4. The fact that it is necessary that the State Highway Commission have authority to acquire land or lands for new and/or wider right of ways, and/or necessary materials, and/or land for stream bed diversion to carry out the purposes and public functions of the State and the State Highway Commission, and the further fact that it is necessary that any County Commissioners Court have the power to purchase or condemn on behalf of the State of Texas, land or lands within a municipality for new and/or wider right of ways, and/or necessary materials, and/or lands for stream bed diversion to carry out the purposes and public functions of the State and the State Highway Commission, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Conference Committee Report on House Bill 757

Senator Aikin submitted the following Conference Committee Report on H. B. No. 757:

Austin, Texas,
May 25, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and House of Representatives on H. B. No. 757, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

AIKIN
LANE
ROBERTS
HARDEMAN
SHIREMAN

On the part of the Senate.

HUFFMAN
STOREY
JACKSON
FENELL
HUNT

On the part of the House.

H. B. No. 757:

A BILL
TO BE ENTITLED

"An Act relating to fishing in Caddo Lake in Harrison and Marion Counties; providing for a three (3) year closed season on crappie during the months of March, April and May; providing a limit on the number and size of crappie taken from these waters; providing a limit on the number and size of catfish taken from these waters; providing a penalty for violation; repealing conflicting laws; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. This Act shall apply to the waters of Caddo Lake in Harrison and Marion Counties, Texas.

Sec. 2. For a period of three (3) years from the effective date of this Act, it shall be unlawful to catch and retain or to place in any container, boat, creel, or live box or on any fish stringer any crappie taken from the waters of Caddo Lake during the months of March, April and May of each year.

Sec. 3. It shall be unlawful to catch and retain or to place in any container, boat, creel, or live box or on any fish stringer any crappie taken from the waters of Caddo Lake that is less than nine (9) inches in length, or in any one (1) day to catch and retain or to place in any container, boat, creel, or live box or on any fish stringer more than fifteen (15) crappie taken from the waters of Caddo Lake.

Sec. 4. It shall be unlawful to catch and retain or to place in any container, boat, creel, or live box or on any fish stringer any catfish taken from the waters of Caddo Lake that is less than twelve (12) inches in length, or in any one (1) day to catch and retain or to place in any container, boat, creel, or live box or on any fish stringer more than twenty-five (25) catfish taken from the waters of Caddo Lake.

Sec. 5. Any person who violates any provision of this Act shall, upon

conviction, be fined in a sum not less than Five Dollars (\$5) nor more than Fifty Dollars (\$50), and each fish unlawfully taken shall constitute a separate offense.

Sec. 6. All laws or parts of laws, whether local, special, or general, which are in conflict herewith are hereby repealed to the extent of such conflict.

Sec. 7. The fact that this legislation is necessary in order to maintain an adequate supply of crappie and catfish in Caddo Lake creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Conference Committee Report on
Senate Joint Resolution 2

Senator Moffett submitted the following Conference Committee Report on S. J. R. No. 2:

Austin, Texas,
May 30, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on S. J. R. No. 2, have met and had the same under consideration, and beg to report it back with the recommendation that it do pass in the form attached.

Respectfully submitted,

MOFFETT
KELLEY
FLY
HARDEMAN
FULLER

On the part of the Senate.

SAUL
LANE
McDONALD
ANDIS
SCHWARTZ

On the part of the House.

S. J. R. 2:

A joint resolution proposing an amendment to Section 49-b, Article III of the Constitution of Texas, so as

to change the membership of the Veterans' Land Board; so that the total amount of bonds or obligations that may be issued by the Veterans' Land Board shall be increased to Two Hundred Million Dollars (\$200,000,000); providing for the issuance of said bonds or obligations and the conditions relating thereto and the use of the Veterans' Land Fund; providing for an election and the issuance of a proclamation therefor.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Section 49-b, Article III of the Constitution of Texas be amended so that the same will hereafter read as follows:

"Section 49-b. There is hereby created a Board to be known as the Veterans' Land Board, which shall be composed of the Commissioner of the General Land Office, and two citizens of the State who shall be appointed by the Governor with the advice and consent of the Senate. The Governor shall biennially, appoint one such member to serve for a term of four years, with the initial appointments to the Board under this section to be for terms of two and four years, respectively, and all subsequent appointments to be according to provisions of this section. One such appointive member shall be well versed in veterans' affairs and the other such appointive member shall be well versed in finances. The Commissioner of the General Land Office shall act as Chairman of the Board and shall be the administrator of the Veterans' Land Program under such terms and restrictions as may be now or hereafter provided by law. The compensation for said appointive members shall be as fixed by the Legislature, and each shall make bond in such amount as may be prescribed by the Legislature. The Veterans' Land Board may issue not to exceed Two Hundred Million Dollars (\$200,000,000) in bonds or obligations of the State of Texas for the purpose of creating a fund to be known as the Veterans' Land Fund. Such bonds shall be executed by said Board as an obligation of the State of Texas, in such form, denominations, and upon the terms as are now provided by law or as may hereafter be provided by law; provided, however, that said bonds shall bear a rate of interest not to exceed three per cent (3%) per annum, and that the same shall be sold for not less

than par value and accrued interest.

"In the sale of any such bonds, a preferential right of purchase shall be given to the administrators of the various Teacher Retirement Funds, the Permanent University Funds, and the Permanent School Funds; such bonds to be issued as needed, in the opinion of the Veterans' Land Board.

"The Veterans' Land Fund shall be used by the Board for the sole purpose of purchasing lands suitable for the purpose hereinafter stated, situated in this State, (a) owned by the United States, or any governmental agency thereof; (b) owned by the Texas Prison System, or any other governmental agency of the State of Texas; or (c) owned by any person, firm, or corporation. Provided, however, the portion of the Veterans' Land Fund not immediately committed for the purchase of lands may be invested in short term United States bonds or obligations until such funds are needed for the purchase of lands. The interest accruing thereon shall become a part of the Veterans' Land Fund.

"All lands thus purchased shall be acquired at the lowest price obtainable, to be paid for in cash, and shall be a part of the Veterans' Land Fund.

"The lands of the Veterans' Land Fund shall be sold by the State to Texas Veterans of the present war or wars, commonly known as World War II, and to Texas Veterans of service in the armed forces of the United States of America subsequent to 1945, as may be included within this program by legislative Act, in such quantities, and on such terms, and at such prices and rates of interest, and under such rules and regulations as are now provided by law, or as may hereafter be provided by law.

"All monies received and which have been received under the constitutional amendment as adopted by the people of Texas at the election held on November 13, 1951, and which have not been used for repurchase of land as provided herein by the Veterans' Land Board from the sale of lands and for interest on deferred payments, shall be credited to the Veterans' Land Fund for use in purchasing additional lands to be sold to Texas Veterans of World War II, and to Texas Veterans of service in the armed forces of the United States of America subsequent to 1945, as may be included within this program by legislative Act,

in like manner as provided for the sale of lands purchased with the proceeds from the sale of the bonds, provided for herein, for a period ending December 1, 1959; provided, however, that so much of such monies as may be necessary during the period ending December 1, 1959, to pay the principal of and interest on the bonds heretofore issued and on bonds hereafter issued by the Veterans' Land Board, shall be set aside for that purpose. After December 1, 1959, all monies received by the Veterans' Land Board from the sale of the lands and interest on deferred payments, or so much thereof as may be necessary, shall be set aside for the retirement of bonds heretofore issued and to pay interest thereon, and any of such monies not so needed shall not later than the maturity date of the last maturing bond or bonds be deposited to the credit of the General Revenue Fund to be appropriated to such purposes as may be prescribed by law. All bonds issued hereunder shall, after approval by the Attorney General of Texas, registration by the Comptroller of the State of Texas, and delivery to the purchasers, be incontestable and shall constitute obligations of the State under the Constitution of Texas. Of the total Two Hundred Million Dollars (\$200,000,000) of bonds herein authorized, the sum of One Hundred Million Dollars (\$100,000,000) has heretofore been issued; said bonds heretofore issued are hereby in all respects validated and declared to be obligations of the State of Texas.

"The additional bonds herein authorized may be sold in such installments as deemed necessary and advisable by the Veterans' Land Board. All monies received from the sale of land and for interest on deferred payments on land purchased with the proceeds of such additional bonds, shall be credited to the Veterans' Land Fund for use in purchasing additional lands to be sold to Texas Veterans, as herein provided, in like manner as provided for the sale of lands purchased with the proceeds from the sales of the bonds provided for herein, for a period ending December 1, 1965; provided, however, that so much of such monies as may be necessary to pay interest on the additional bonds herein provided for shall be set aside for that purpose. After December 1, 1965, all monies received by the Veterans' Land Board from the sale of the lands and in-

terest on payments or so much thereof as may be necessary, shall be set aside for the retirement of said additional bonds and to pay interest thereon, and any of such monies not so needed shall not later than the maturity date of the last maturing bond be deposited to the credit of the General Revenue Fund to be appropriated to such purposes as may be prescribed by law.

"This amendment shall be effective on and after January 1, 1957."

Section 2. The foregoing Constitutional Amendment shall be submitted to a vote of the qualified electors of this State at the general election to be held throughout the State of Texas on the first Tuesday after the first Monday in November, 1956, at which election all ballots shall have printed thereon the following:

"FOR The Amendment to Section 49-b of Article III of the Constitution of Texas to change the membership of the Veterans' Land Board; increasing the Veterans' Land Fund by \$100,000,000; said fund to be used for the purpose of purchasing land in Texas to be sold to Texas Veterans of World War II and to Texas Veterans of service in the Armed Forces of the United States of America subsequent to 1945. Such funds shall be expended in accordance with instructions and requirements that may be provided by law." and,

"AGAINST The Amendment to Section 49-b of Article III of the Constitution of Texas to change the membership of the Veterans' Land Board; increasing the Veterans' Land Fund by \$100,000,000; said fund to be used for the purpose of purchasing land in Texas to be sold to Texas Veterans of World War II and to Texas Veterans of service in the Armed Forces of the United States of America subsequent to 1945. Such funds shall be expended in accordance with instructions and requirements that may be provided by law."

If it appears from the returns of said election that a majority of the votes cast were in favor of said amendment, the same shall become a part of the State Constitution and be effective from the date set forth in said amendment, and the Governor shall issue a proclamation in keeping therewith.

Section 3. Should the Legislature pass legislation with regard to this amendment prior to its adoption, it shall not be invalid because of its anticipatory nature.

Section 4. The Governor of the State of Texas shall issue the necessary proclamation for said election, and shall have the same published as required by the Constitution and laws of this State.

The report was read and was adopted by the following vote:

Yeas—23

Aikin	Moore
Ashley	Owen
Colson	Parkhouse
Fly	Ratliff
Fuller	Roberts
Hardeman	Rogers
Hazlewood	of Childress
Kazen	Secrest
Kelley	Shireman
Lane	Strauss
Latimer	Wagonseller
Lock	Willis
Moffett	

Nays—6

Bracewell	Phillips
Martin	Rogers of Travis
McDonald	Weinert

Absent—Excused

Corbin

Senate Resolution 408

Senator Rogers of Childress offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of Lockney High School, Lockney, Texas, accompanied by their sponsors, Mr. and Mrs. Forest Smith and Mr. and Mrs. R. C. Rogers; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Rogers of Childress by unanimous consent presented the stu-

dents and sponsors to the Members of the Senate.

Senate Resolution 409

Senator Strauss offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate the Senior Class of the high school at Glen Flora in Wharton County, accompanied by their teachers, Thos. L. Pink and Mrs. C. M. Pink; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Strauss by unanimous consent presented the students and their teachers to the Members of the Senate.

Motion to Place House Joint Resolution 17 on Second Reading

Senator Hazlewood asked unanimous consent to suspend the regular order of business and take up H. J. R. No. 17 for consideration at this time.

There was objection.

Senator Hazlewood then moved to suspend the regular order of business and take up H. J. R. No. 17 for consideration at this time.

The motion was lost by the following vote (not receiving two-thirds vote of the Members present):

Yeas—18

Aikin	Latimer
Colson	Lock
Fly	Parkhouse
Fuller	Ratliff
Hardeman	Rogers of Travis
Hazlewood	Shireman
Kazen	Strauss
Kelley	Wagonseller
Lane	Weinert

Nays—11

Ashley	Owen
Bracewell	Phillips
Martin	Roberts
McDonald	Secrest
Moffett	Willis
Moore	

Absent

Rogers
of Childress

Absent—Excused

Corbin

Senate Resolution 410

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate eight senior students from Mauriceville High School of Orange County accompanied by their sponsors, Mr. and Mrs. Ross A. Puison, Mrs. Ocie Dunn and Mrs. Agnes Peveto; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented the students and sponsors to the Members of the Senate.

Senate Resolution 411

Senator Fuller offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate Mr. and Mrs. Ed Doize of Baytown, Texas; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Fuller by unanimous consent presented Mr. and Mrs. Doize to the Members of the Senate.

House Bill 602 on Second Reading

On motion of Senator Strauss, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 602, A bill to be entitled "An Act amending Chapter 467, House Bill No. 77, Acts, Second Called Session, Forty-fourth Legislature, as such has been heretofore amended, being the Texas Liquor Control Act, and being the Act carried in Vernon's Penal Code as Articles 666 and 667, so as to clarify such Act and further regulate and control alcoholic beverage; providing a saving clause; repealing laws in conflict herewith; and declaring an emergency."

The bill was read second time.

(Senator Kazen in the Chair.)

Senator Strauss offered the following amendment to the bill:

Amend House Bill No. 602 by adding a new Section 3 and renumbering the present Section 3 and succeeding sections to conform, said new Section 3 to read as follows:

"Section 3. Amend subsection (3) of Section 17 of Article I of the Texas Liquor Control Act by adding a new sub-paragraph to be lettered (g) and reading as follows:

"(g). Notwithstanding the provisions of the above paragraphs (a) to (f) inclusive, it shall not be unlawful for a Distiller, Winery, Brewer, Rectifier, Wholesaler, Class B Wholesaler, Class A Winery, Class B Winery or Wine Bottler, to furnish without cost to a Retailer recipes, recipe books, book matches, cocktail napkins or other advertising items showing the name of the permittee furnishing such items or the brand name of the product advertised, the individual cost of which does not exceed twenty-five (25¢) cents; provided, however, it shall be unlawful for any person who owns or has an interest in the business of a Distiller, Brewer, Rectifier, Wholesaler, Class B Wholesaler, Class A Winery, Class B Winery, Wine Bottler, Package Store, or Wine Only Package Store, or any agent, servant, or employee to allow any excessive discounts on liquor."

The amendment was adopted.

(President in the Chair.)

Senator Bracewell offered the following amendment to the bill:

Amend H. B. 602, Section 2, by striking therefrom the word "knowingly."

The amendment was read.

Question—Shall the amendment by Senator Bracewell to H. B. No. 602 be adopted?

Recess

On motion of Senator Hardeman, the Senate, at 12:02 o'clock p. m., took recess until 2:00 o'clock p. m. today.

After Recess

The President called the Senate to order to 2:00 o'clock p. m. today.

Leave of Absence

Senator Fuller was granted leave of absence for the remainder of the day on account of important business on motion of Senator Moffett.

House Concurrent Resolution 152 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 152, Requesting the Texas Legislative Council to study all special funds and accounts within the State Treasury and all local and agency funds outside the Treasury, and the dedication of State revenues.

The resolution was read the second time and was adopted.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
May 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has adopted the Conference Committee report on House Bill No. 131 by a divided vote.

The House has concurred in Senate amendments to House Bill No. 927 by a divided vote.

S. B. No. 401, A bill to be entitled "An Act providing for continuation of the office of county superintendent

of public instruction where it exists in counties having a scholastic population of less than 1700, but more than 1685, unless abolished by vote of qualified property taxpaying voters of the county at an election called upon petition of qualified voters; providing the effective date of such abolishment; repealing conflicting laws; and declaring an emergency."

The House has adopted the Conference Committee report on House Bill No. 757 by a divided vote.

The House has adopted the Conference Committee report on House Bill No. 663 by a divided vote.

H. B. No. 941, A bill to be entitled "An Act relating to the use of a public road which has been under fence for a period of fifteen years or more; and declaring an emergency."

H. B. No. 968, A bill to be entitled "An Act amending Chapter 304, Acts 50th Leg., R. S., 1947, as amended; including within the provisions thereof projects as therein defined extending from counties issuing bonds into other counties and making provisions relating thereto; providing certain additions and changes and repealing certain provisions relating to projects as therein defined; providing a severability clause; repealing laws and parts of laws in conflict herewith; and declaring an emergency."

S. B. No. 134, A bill to be entitled "An Act declaring the State Building Commission created by Section 51-b, Article III of the Constitution of Texas to be a State agency for the purpose of performing the governmental functions outlined therein, with powers of eminent domain, and empowering the Commission to promulgate all necessary rules and regulations for the administration of this Act; providing for the selection and tenure of a Chairman of the Commission and for the employment and qualification of an Executive Director and other necessary employees and assistance and the fixing of their compensation; etc.; and declaring an emergency."

(With amendments.)

H. B. No. 720, A bill to be entitled "An Act relating to the annual minimum base salary of vocational teachers under the Foundation School Program Act; amending Article IV of the Foundation School Program Act by adding a new section providing for an increase in the minimum an-

nual salary of vocational teachers conducting vocational programs in excess of nine months; and declaring an emergency."

The House refused to concur in Senate amendments to House Bill No. 660 and has requested the appointment of a Conference Committee to consider the differences between the two Houses, by a vote of 110 ayes, 34 noes.

The House has appointed the following conferees on H. B. No. 53: Gillham, Carpenter, Bergman, Murphy, and Sayers.

H. C. R. No. 177, Granting Morris Lang, Johnnie Christian, James C. Schreiber, O. L. Owens, and William Henderson, residents of McLennan County, Texas, permission to sue the State of Texas and the State Highway Department.

S. B. No. 328, A bill to be entitled "An Act relating to improvement of the marketing opportunities of sweet potatoes grown in Texas and to the protection of consumers of sweet potatoes by a prompt and efficient program for inspection and classification of sweet potatoes at reasonable cost; providing a savings clause; and declaring an emergency."

S. B. No. 315, A bill to be entitled "An Act amending the Meat Inspection Law (Chapter 339, Acts of the 49th Legislature, 1945), by adding a new section authorizing the State Board of Health to fix, charge, and collect fees for inspection services performed by the State Health Department; providing for disposition and use of the funds collected; making an appropriation; and declaring an emergency."

S. B. No. 424, A bill to be entitled "An Act amending Section 1 of Chapter 463, Acts of the 51st Legislature, Regular Session, codified in Vernon's Civil Statutes as Article 6077p, authorizing the State Parks Board to sell timber from lands comprising the Huntsville State Park, providing a severability clause; providing a repealing clause; and declaring an emergency."

The House has adopted the Conference Committee report on S. B. No. 44 by a viva voce vote.

The House has adopted the Conference Committee report on S. B. No. 226 by a vote of 121 ayes, 3 noes.

The House has adopted the Con-

ference Committee report on S. J. R. No. 2 by a vote of 121 ayes, 15 noes.

The House refused to concur in Senate amendments to House Bill No. 666 and has requested the appointment of a Conference Committee to consider the differences between the two Houses.

House has appointed the following: Johnson, Bates, Max Smith, Dewey, and Bradshaw.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives.

Senate Resolution 412

Senator Moffett offered the following resolution:

Whereas, We are honored today to have as a visitor in the Senate Honorable Lloyd Morrison, a prominent citizen of Hardeman County, Texas, the father of Dan Morrison, an efficient employee of the Senate, and the uncle of former Representative George Morrison; and

Whereas, We desire to welcome this distinguished visitor to the Capitol Building and Capital City; now, therefore, be it

Resolved, That his presence be recognized by the Senate of Texas and that he be extended the official welcome of the Senate and the privileges of the floor for the day.

The resolution was read and was adopted.

Message from the Governor

The following message received from the Governor today, was read and was referred to the Committee on Nominations of the Governor:

Austin, Texas,
May 31, 1955.

To the Members of the Senate of the Fifty-fourth Legislature.

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

To be Adjutant General of Texas: Major General K. L. Berry of Denton, Denton County.

To be Assistant Adjutant General: Brigadier General William H. Martin of Houston, Harris County.

To be Members of the Board of Directors for the Jackson County Flood Control District, for two-year terms to expire May 20, 1957: Arvie Elliott

of Edna, Jackson County; Arnold Koop of Edna, Jackson County; C. M. Duggar, Jr., of Edna, Jackson County; Allen L. Burditt of Edna, Jackson County; Harrison Stafford of Edna, Jackson County; S. B. Allen of Edna, Jackson County; Chester Spencer of Ganado, Jackson County.

To be Members of the Texas Turnpike Authority for six-year term to expire February 15, 1961: R. L. Tayloe of Dallas, Dallas County; W. R. Boyd, Jr., of Teague, Freestone County.

To be Members of the Board of Directors for the Jefferson County Water Control and Improvement District No. 10, for one-year terms to expire April 15, 1956: Luby D. Ward of Beaumont, Jefferson County; R. A. Mainord of Beaumont, Jefferson County. For two-year terms to expire April 15, 1957: J. D. Forkner of Beaumont, Jefferson County; Clarence Pratt of Beaumont, Jefferson County; L. A. Boudreaux of Beaumont, Jefferson County.

To be Pilot Commissioners for Sabine Bar, Pass and Tributaries for two-year terms to expire June 15, 1957: T. T. Hunt of Beaumont, Jefferson County; A. M. Phelan of Beaumont, Jefferson County; Neal D. Rader of Port Arthur, Jefferson County; Mack A. Pond of Port Arthur, Jefferson County; Howard A. Peterson of Orange, Orange County.

To be Members of the Board of Directors, Lower Concho River Water and Soil Conservation Authority, for terms to expire January 1, 1957: Joe Brosig of Paint Rock, Concho County; Lester Lockett of Eden, Concho County; Roy Woodress of Millersview, Concho County. For terms to expire January 1, 1959: Marion Sansom, III, of Paint Rock, Concho County; M. L. Schulz of Eola, Concho County; Curtis Stevens of Millersview, Concho County. For terms to expire January 1, 1961: Scott L. Hartgrove of Paint Rock, Concho County; E. H. Swaim of Eden, Concho County; Walter Pfluger of Eden, Concho County.

To be Members of the State Board of Health for six-year term to expire June 12, 1961: Dr. J. B. Copeland of San Antonio, Bexar County; Dr. R. W. Kimbro of Cleburne, Johnson County; Joe B. Winston of Mercedes, Hidalgo County.

To be Members of the State Board of Medical Examiners for six-year terms to expire April 13, 1961: Dr.

Charles Reece of Houston, Harris County; Dr. Cecil Greer of Houston, Harris County; Dr. M. C. Carlisle of Waco, McLennan County; Dr. Howard R. Coats of Tyler, Smith County.

To be a Member of the Texas Employment Commission for six-year term to expire November 21, 1960; Maurice Acers of Austin, Travis County.

To be Fire Insurance Commissioner for six-year term to expire February 10, 1961: Mark Wentz of Big Spring, Howard County.

To be Members of the Good Neighbor Commission for six-year term to expire June 19, 1961: Reynaldo Garza of Brownsville, Cameron County; Mrs. Kelly McAdams of Austin, Travis County; Conrad Dunagan of Monahans, Ward County.

To be Pilot Commissioners, Galveston-Texas City, for two-year terms to expire April 15, 1957: Anthony Stjepcevic of Galveston, Galveston County; Robert I. Cohen, III, of Galveston, Galveston County; W. P. Tarpey, Jr., of Texas City, Galveston County; M. L. Waugh of Texas City, Galveston County; John McCray of Galveston, Galveston County.

To be Members of the State Board of Registration for Public Surveyors (to be effective 90 days after adjournment), for two-year terms: Arch Clark of Dallas, Dallas County; L. V. Norris of Beaumont, Jefferson County. For four-year terms: J. Stuart Boyles of Houston, Harris County; Staley W. Mims of Crockett, Houston County. For six-year terms: Clifford Cool of Midland, Midland County; Fred Williamson of Temple, Bell County.

To be Pecos River Compact Commissioner for term to expire May 27, 1957: J. C. Wilson of Pecos, Reeves County.

Respectfully submitted,

ALLAN SHIVERS,
Governor of Texas.

House Bills on First Reading

The following bills received from the House, were read the first time and were referred to the committees indicated:

H. B. No. 968, To the Committee on Counties and County Boundaries.

H. C. R. No. 177, To the Committee on Civil Jurisprudence.

H. B. No. 720, To the Committee on Educational Affairs.

House Concurrent Resolution 174 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 174, Recalling H. B. 662 from the Governor's desk.

The resolution was read second time and was adopted.

House Concurrent Resolution 176 on Second Reading

The President laid before the Senate on its second reading the following resolution:

H. C. R. No. 176, Requesting the return of H. B. No. 899 from the Governor's office for correction.

The resolution was read.

On motion of Senator Lane, and by unanimous consent, the resolution was considered immediately and was adopted.

Senate Bill 430 with House Amendments

Senator Rogers of Travis called S. B. No. 430 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Rogers of Travis moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the part of the Senate on the bill: Senators Rogers of Travis, Hardeman, Lane, Aikin and Weinert.

Report of Standing Committee

Senator Fly, by unanimous consent, submitted the following report:

Austin, Texas,
May 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 968, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman.

House Bill 968 Ordered Not Printed

On motion of Senator Phillips, and by unanimous consent, H. B. No. 968 was ordered not printed.

House Bill 602 on Second Reading

The Senate resumed consideration of the pending business, same being H. B. No. 602 on its second reading, with an amendment by Senator Bracewell pending.

Question: Shall the amendment by Senator Bracewell to H. B. No. 602 be adopted?

Senator Strauss moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—11

Corbin	Moore
Fly	Owen
Hardeman	Rogers of Travis
Kazen	Strauss
Lane	Wagonseller
Latimer	

Nays—16

Aikin	Phillips
Bracewell	Ratliff
Colson	Roberts
Hazlewood	Rogers
Lock	of Childress
Martin	Secrest
McDonald	Shireman
Moffett	Willis
Parkhouse	

Absent

Ashley	Weinert
Kelley	

Absent—Excused

Fuller

Question recurring on the amendment, it failed of adoption by the following vote:

Yeas—13

Aikin	Phillips
Bracewell	Roberts
Colson	Rogers
Hazlewood	of Childress
McDonald	Secrest
Moffett	Shireman
Parkhouse	Willis

Nays—13

Corbin	Owen
Fly	Ratliff
Hardeman	Rogers of Travis
Kazen	Strauss
Lane	Wagonseller
Latimer	Weinert
Moore	

Absent

Ashley	Lock
Kelley	Martin

Absent—Excused

Fuller

The President announced that he would vote "nay."

Senator Shireman offered the following amendment to the bill:

Amend H. B. No. 602, Section 1, by inserting after the word "years" in line 21 the following:

"to sell or handle for sale or"

The amendment failed of adoption.

Senator Willis offered the following amendment to the bill:

Amend H. B. No. 602 by striking out the following from Sec. 2 of the printed bill:

"(14)(c). In case of violation of the provisions of Subsection (14)(a) or (14)(b) above, involving sales of alcoholic beverage to a person under the age of twenty-one (21) years, it shall be the duty of the prosecuting attorney and other enforcement officers to prosecute both the seller and the purchaser of such alcoholic beverage."

The amendment was read.

Senator Strauss moved to table the amendment.

The motion to table was lost by the following vote:

Yeas—13

Aikin	Latimer
Corbin	Lock
Hardeman	Owen
Kazen	Ratliff
Lane	Rogers of Travis

Strauss	Weinert
Wagonseller	

Nays—14

Bracewell	Phillips
Fly	Roberts
Hazlewood	Rogers
Martin	of Childress
McDonald	Secrest
Moffett	Shireman
Moore	Willis
Parkhouse	

Absent

Ashley	Kelley
Colson	

Absent—Excused

Fuller

Question recurring on the amendment, it was adopted.

Senator Roberts offered the following amendment to the bill:

Amend H. B. 602 by changing the period at the end of line 48 to a comma and adding the following:

"for first offense and not more than \$500 for second and succeeding offenses."

The amendment was adopted.

The bill as amended was passed to third reading.

**Motion to Place
House Bill 602 on Third Reading**

Senator Strauss moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that House Bill No. 602 be placed on its third reading and final passage.

The motion was lost by the following vote (not receiving four-fifths vote of the Members present):

Yeas—21

Aikin	Moffett
Corbin	Moore
Fly	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Lane	Secrest
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert

Nays—6

Bracewell	Phillips
McDonald	Shireman
Parkhouse	Willis

Ashley Absent
Colson Owen
Fuller Absent—Excused

Senate Resolution 413

Senator Weinert offered the following resolution:

Be it Resolved, by the Senate, that the Rules of the Senate of the 54th Legislature of the State of Texas be amended as follows:

(1) By adding a new rule thereto to be numbered "13A" and to read as follows:

"13A. It shall not be in order to move to take up a bill or resolution out of its regular order until and unless notice has been given in open session, at least twenty-four (24) hours prior to the making of such motion, that same will be made. Said notice shall be in writing, shall state the date on which the motion will be made, and shall be printed in the Journal.

"This rule shall not apply to bills purely local in nature nor to bills and resolutions placed upon the local and uncontested calendar.

"This rule may be suspended by a vote of four-fifths (4/5ths) of the Members present."

(2) That Sec. (5) of Rule 71 be amended to read as follows:

"(5) To suspend, rescind or amend any rule of the Senate, with the exception of Rule 13A."

(3) That Rule 15 be amended to read as follows:

"15. Any bill, resolution or other measure may on any day be made a special order for a future time of the session by an affirmative vote of two-thirds (2/3rds) of the Members present, provided such future time shall not be sooner than twenty-four (24) hours from the passage of such motion."

The resolution was read.

On motion of Senator Weinert and by unanimous consent the resolution was ordered printed in the Senate Journal.

Conference Committee on House Bill 53

The President announced the appointment of the following as conferees on the part of the Senate on H. B. No. 53: Senators Strauss, Rogers of Travis, Parkhouse, Moore and Wagonseller.

Conference Committee Report on Senate Bill 44

Senator Parkhouse submitted the following Conference Committee report on S. B. No. 44:

Austin, Texas,
May 31, 1955.

Hon. Ben Ramsey, President of the Senate.

Hon. Jim Lindsey, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on Senate Bill No. 44, have met and had same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

PARKHOUSE
LATIMER
KELLEY
SECREST
RATLIFF

On the part of the Senate.

BURKETT
YANCY
SPILMAN
KENNEDY
McDONALD

On the part of the House.

S. B. No. 44:

A BILL TO BE ENTITLED

"An Act to amend the subject matter embraced in subsection (d) of Section 5 of the Texas Unemployment Compensation Act, as amended (Section 3 of H. B. 417, Chapter 148, page 282, Acts of the 51st Legislature, Regular Session), providing that an individual shall be disqualified for unemployment compensation benefits for any benefit period where his unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment or other premises (including a vessel) at which he is or was last employed, or because of a labor dispute at another place, either within or without this state, owned or operated by the same employing unit which owns or operates the premises at which he is or was last employed and supplies materials or services necessary to the continued and usual operation of the premises at which he is or was last employed; excepting, however, from such disqualification an unemployed claimant who is not participating in or fi-

nancing or directly interested in the labor dispute which caused the stoppage of work; and does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage there were members employed at the premises (including a vessel) at which the labor dispute occurs any of whom are participating in or financing or directly interested in the dispute; provided where separate branches of work are commonly conducted as separate businesses in separate premises are conducted in separate departments or separate premises of the same employing unit, each such department or premises shall, for certain purposes, be deemed to be a separate factory, establishment or other premises; and where a disqualification arises from the employee's failure to meet certain requirements, his disqualification shall cease if he shall show that he is not, and at the time of the labor dispute was not, a member of a labor organization which is the same as, represented by, or directly affiliated with, or that he, or such organization of which he is a member if any, is not acting in concert or in sympathy with a labor organization involved in the labor dispute at the premises at which such labor dispute occurred, and has made an unconditional offer to return to work at the premises at which he is or was last employed; providing for the repeal of all laws or parts of laws in conflict herewith; and declaring an emergency."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That subsection (d) of Section 5 (the labor dispute disqualifying section) of the Texas Unemployment Compensation Act, as amended (Section 3 at page 284, of H. B. 417, Chapter 148, page 282, Acts of 51st Legislature, Regular Session) be amended so as to read as follows:

Section 5. An individual shall be disqualified for benefits

(d) For any benefit period with respect to which the Commission finds that his total or partial unemployment is due to a stoppage of work which exists because of a labor dispute at the factory, establishment, or other premises (including a vessel) at which he is or was last employed, or because of a labor dispute at another place, either within or without this State, which is owned or operated

by the same employing unit which owns or operates the premises at which he is or was last employed, and supplies materials or services necessary to the continued and usual operation of the premises at which he is or was last employed, provided that this subsection shall not apply if it is shown to the satisfaction of the Commission that:

(1) He is not participating in or financing or directly interested in the labor dispute which caused the stoppage of work; and

(2) He does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed at the premises (including a vessel) at which the labor dispute occurs, any of whom are participating in (as defined in (d) (1) above) or financing or directly interested in the dispute; provided, that if in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments or separate premises of the same employing unit, each such department or premises shall for the purpose of this subsection (d), be deemed to be a separate factory, establishment, or other premises; and where a disqualification arises from the employee's failure to meet the requirements of this paragraph (2) of this subsection (d), his disqualification shall cease if he shall show that he is not, and at the time of the labor dispute was not, a member of a labor organization which is the same as, represented by, or directly affiliated with, or that he, or such organization of which he is a member if any, is not acting in concert or in sympathy with, a labor organization involved in the labor dispute at the premises at which such labor dispute occurred, and has made an unconditional offer to return to work at the premises at which he is or was last employed.

(3) In any case wherein the issue of granting of benefits rests upon a stoppage asserted to exist because of a labor dispute at premises of the employer other than those at which claimant is employed, an employer opposing the payment of benefits (or the effect of payment of benefits with respect to calculation of that employer's benefit wages) shall sustain the following burden and perform the following conditions in the appropriate tribunal at each stage of the proceedings:

(i) He shall sustain the burden of

showing all material matters relating to the common ownership or operation of the premises where the stoppage and labor dispute exist and the premises where the claimant was employed;

(ii) He shall sustain the burden of proving that the supplies, materials or services necessary to the continued and usual operation of the premises at which the claimant is or was last employed have been cut off, that such was caused by the stoppage at the supplying plant, and that such was the cause of claimant's unemployment.

Sec. 2. The provisions of this Act shall repeal all parts of the Texas Unemployment Compensation Act, as amended, in conflict herewith and all laws or parts of laws in conflict herewith, but shall in no way be construed as forfeiting or waiving rights of any individual to benefits which accrued or accrue prior to the effective date hereof.

Sec. 3. The importance of this legislation, limiting the payment of unemployment compensation benefits strictly to only those persons unemployed through no fault of their own and to have the state remain classless and observe a formal neutrality in matters of strikes or lockouts, and the necessity for its becoming effective immediately, create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three several days in each House be suspended; and said Rule is hereby suspended, and this Act shall take effect from and be in force from and after its passage, and it is so enacted.

The report was read and was adopted.

Record of Votes

Senators Moore and Shireman asked to be recorded as voting "Nay" on the adoption of the Conference Committee report on S. B. No. 44.

House Bill 919 on Second Reading

On motion of Senator Roberts, and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to third reading:

H. B. No. 919, A bill to be entitled "An Act authorizing the appointment of an investigator by the county attorney upon approval of the commissioners' court, in counties of more

than 20,000 population; prescribing his powers and providing for the giving of bond; providing for his compensation and expenses; stating the effect of this Act on other laws; and declaring an emergency."

The bill was read second time.

Senator Roberts offered the following committee amendment to the bill:

Amend H. B. 919 by striking out the figures 20,000 wherever they appear and substitute 40,000.

The amendment was read.

Senator Moore offered the following amendment to the committee amendment:

Amend Committee Amendment No. 1 to H. B. 919, Sec. 1, by changing the words and figures "forty thousand (40,000)" to read "not less than 37,000."

The amendment to the committee amendment was adopted.

The committee amendment, as amended, was then adopted.

Senator McDonald offered the following amendment to the bill:

Amend H. B. No. 919, printed copy, by striking out all of line 20 following the word "court" and lines 21, 22 and the words "growing out of the enforcement of all laws" on line 23.

The amendment was adopted.

On motion of Senator Roberts, and by unanimous consent, the caption was amended to conform to the body of the bill, as amended.

The bill, as amended, was passed to third reading.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the passage of H. B. No. 919 to third reading.

House Bill No. 919 on Third Reading

Senator Roberts moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 919 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—22

Aikin	Moffett
Bracewell	Moore
Corbin	Parkhouse
Fly	Roberts
Hazlewood	Rogers of Travis
Kazen	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Nays—3

Hardeman	Rogers
Phillips	of Childress

Present—Not Voting

Ratliff

Absent

Ashley	Kelley
Colson	Owen

Absent—Excused

Fuller

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Record of Vote

Senator Hardeman asked to be recorded as voting "nay" on the final passage of H. B. No. 919.

Messages from the Governor

The following messages received from the Governor were read and were filed with the Secretary of the Senate:

Austin, Texas,
May 31, 1955.

To the Members of the Fifty-fourth Legislature.

Complying with the request contained in Senate Concurrent Resolution No. 77, I am returning herewith Senate Bill No. 10.

Respectfully submitted,

ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
May 28, 1955.

To the Members of the Fifty-fourth Legislature.

I am vetoing and returning here-

with House Bill 662, relating to the regulation of the sale of shellfish. In Opinion M.S. 219 from the Attorney General, dated May 28, 1955, I am advised that the terms of this bill are so vague, indifferent and ambiguous that they do not sufficiently inform a person in advance of what acts are criminal and therefore the bill violates Article I, Section 10 of the Texas Constitution which guarantees every citizen the right to know the nature and character of an accusation made against him.

Respectfully submitted,

ALLAN SHIVERS,
Governor of Texas.

Austin, Texas,
May 28, 1955.

To the Members of the Fifty-fourth Legislature.

I am vetoing and returning House Bill 554 authorizing counties to construct and maintain causeways and bridges from one county to another and to pay for the construction thereof out of revenue bonds.

In my opinion this bill involves a major change in the policy of the State. The trend has always been away from individual toll roads and bridges, and with the low population bracket contained in this bill, it would be possible for every county to be in the toll road business. Texas has always stood for free highway travel or for a well planned overall State highway toll road system. This bill is a step in the opposite direction from this expressed policy. In addition, the bill omits certain safeguards in the present law to prevent the possibility of interference with navigation.

Respectfully submitted,

ALLAN SHIVERS,
Governor of Texas.

Senate Bill 453 on First Reading

On motion of Senator Moore, and by unanimous consent, the following local bill was introduced, read first time and referred to the committee indicated:

By Senator Moore:

S. B. No. 453, A bill to be entitled "An Act giving the Game and Fish Commission regulatory authority over the taking and possession of wildlife and fish on Gus Engeling Wildlife Management Area in Anderson County, Texas; containing penalty, repeal-

ing and saving clauses; and declaring an emergency."

To the Committee on Game and Fish.

House Bill 968 on Second Reading

Senator Phillips moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 968 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—26

Aikin	Moffett
Bracewell	Moore
Corbin	Parkhouse
Fly	Phillips
Hardeman	Ratliff
Hazlewood	Roberts
Kazen	Rogers of Travis
Kelley	Secrest
Lane	Shireman
Latimer	Strauss
Lock	Wagonseller
Martin	Weinert
McDonald	Willis

Nays—1

Rogers
of Childress

Absent

Ashley Owen
Colson

Absent—Excused

Fuller

The President then laid before the Senate on its second reading and passage to third reading the following bill:

H. B. No. 968, A bill to be entitled "An Act amending Chapter 304, Acts, 50th Leg., R. S., 1947, as amended, including within the provisions thereof projects as therein defined extending from counties issuing bonds into other counties and making provisions relating thereto; providing certain additions and changes and repealing certain provisions relating to projects as therein defined; providing a severability clause; repealing laws and parts of laws in conflict herewith; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 968 on Third Reading

The constitutional rule requiring bills to be read on three several days having been suspended the President laid H. B. No. 968 before the Senate on its third reading and final passage.

The bill was read third time and was passed.

Senate Resolution 414

Senator Hardeman offered the following resolution:

Whereas, We are honored today to have in the gallery of the Senate, the Senior Class of Sanderson High School, Sanderson, Texas, accompanied by their sponsor, Mr. Norman E. Rath, and Mr. W. H. Riley, their teacher; and

Whereas, These students are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine group of young American citizens is here to observe and to learn at firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these guests and commend them for their interest; and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Hardeman, by unanimous consent, presented the students, Mr. Rath and Mr. Riley to the Members of the Senate.

Senate Bill 282 with House Amendments

Senator Aikin called S. B. No. 282 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Aikin moved that the Senate concur in the House amendments.

The motion prevailed.

Conference Committee on House Bill 666

Senator Rogers of Travis called from the President's table for consid-

eration at this time, the request of the House for a conference committee to adjust the differences between the two Houses on H. B. No. 666, and moved that the request be granted.

The motion to grant the request prevailed.

House Joint Resolution 11 on Third Reading

The President laid before the Senate as pending business H. J. R. No. 11 on its final passage, the resolution having been read third time on yesterday.

Question—Shall H. J. R. No. 11 be finally passed?

(Senator Weinert in the Chair.)

Pending discussion by Senator McDonald of the resolution, Senator Parkhouse asked unanimous consent that H. J. R. No. 11 be Laid on the Table Subject to Call.

There was objection.

Senator Parkhouse then moved that H. J. R. No. 11 be Laid on the Table Subject to Call.

The motion prevailed by the following vote:

Yeas—14

Aikin	Latimer
Corbin	Lock
Hardeman	Parkhouse
Hazlewood	Ratliff
Kazen	Strauss
Kelley	Wagonseller
Lane	Weinert

Nays—10

Bracewell	Roberts
McDonald	Rogers
Moffett	of Childress
Moore	Rogers of Travis
Owen	Secrest
Phillips	

Absent

Ashley	Martin
Colson	Shireman
Fly	Willis

Absent—Excused

Fuller

(President in Chair.)

Senate Concurrent Resolution 80 on Second Reading

On motion of Senator Roberts, and by unanimous consent, the President laid before the Senate on its second reading the following resolution:

S. C. R. No. 80, Granting Willis E. Tyler permission to sue the State.

The resolution was read second time and was adopted.

Announcement of Committee Meeting on Nominations of the Governor

Senator Aikin announced that there would be a meeting of the Committee on Nominations of the Governor at 9:00 o'clock a. m. tomorrow.

Local and Uncontested Bill Session

On motion of Senator Martin, and by unanimous consent, the Senate agreed to hold a session for the consideration of a Local and Uncontested Bill Calendar at 9:30 a. m. on Wednesday, June 1, 1955.

Recess

On motion of Senator Hardeman, the Senate, at 4:25 o'clock p. m., took recess until 9:30 o'clock a. m. tomorrow.

SEVENTY-FIRST DAY (Continued)

(After Recess)

(Wednesday, June 1, 1955)

The Senate met at 9:30 o'clock a. m. and was called to order by Senator Hardeman.

Local and Uncontested Bill Session

The Presiding Officer announced that the time had arrived for the consideration of the Local and Uncontested Bill Calendar.

Senate Bill 448 on Second Reading

The Presiding Officer laid before the Senate on its second reading and passage to engrossment:

S. B. No. 448, A bill to be entitled "An Act establishing a juvenile board in each county comprising the Second 38th Judicial District; etc."

The bill was read second time and was passed to engrossment.

Senate Bill 448 on Third Reading

Senator Ashley moved that Senate Rule 32 and the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 448 be placed on its third reading and final passage.